

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled REAL TIME VEHICLE PURCHASE REQUEST MANAGEMENT METHOD AND SYSTEM; the specification of which was filed on **January 14, 1999** as Application Serial No. **09/231,415**.

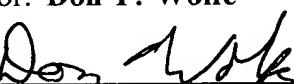
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

-----

Full name of first inventor: **Don P. Wolfe**

Inventor's signature 

Date 4/7/99

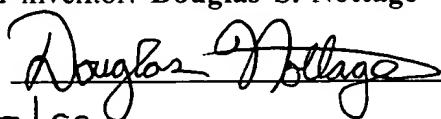
Residence: **48 Middlebury Lane, Irvine, California 92620**

Citizenship: **United States**

Post Office Address: **same as above**

Full name of second inventor: **Douglas S. Nottage**

Inventor's signature



Date

4/7/99

Residence: **146 Pergola, Irvine, California 92612**

Citizenship: **United States**

Post Office Address: **same as above**

Full name of third inventor: **Kevin J. Waggoner**

Inventor's signature



Date 4-8-99

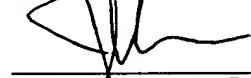
Residence: **3521 N. Tamarind Ave., Rialto, California 92377-3645**

Citizenship: **United States**

Post Office Address: **same as above**

Full name of fourth inventor: **Tim E. Nelson**

Inventor's signature



Date 4/7/99

Residence: **3783 Live Oak Drive, Pomona, California 91767**

Citizenship: **United States**

Post Office Address: **same as above**

---

LDB-6373  
030999

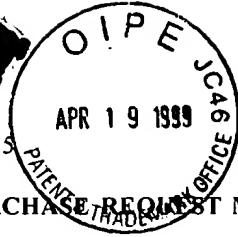
---

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

**Customer No. 20,995**

Applicant or Patentee: Wolfe, et al.  
Application or Patent No.: 09/231,415  
Filed or Issued: January 14, 1999  
For: REAL TIME VEHICLE PURCHASE REQUEST MANAGEMENT METHOD AND SYSTEM



Attorney's Docket No.: AUTOB.043A  
Page 1

#### VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS

I, the undersigned, do hereby declare that:

I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: autobytel.com, inc.

ADDRESS OF CONCERN: 18872 MacArthur Blvd., Irvine, California 92612-1400

I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

**\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

FULL NAME:

ADDRESS:

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

FULL NAME:

ADDRESS:

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Ann Delligatta

TITLE OF PERSON (if not an owner or individual): Chief Operating Officer

ADDRESS OF PERSON SIGNING: 18872 MacArthur Blvd., Irvine, California 92612-1400

SIGNATURE:

DATE:

## ASSIGNMENT

WHEREAS, We, Don P. Wolfe, a United States citizen, residing at 48 Middlebury Lane, Irvine, CA 92620, Douglas S. Nottage, a United States citizen, residing at 146 Pergola, Irvine, CA 92612, Kevin J. Waggoner, a United States citizen, residing at 3521 N. Tamarind Ave., Rialto, CA 92377-3645, and Tim E. Nelson, a United States citizen, residing at 3783 Live Oak Drive, Pomona, CA 91767 have invented certain new and useful improvements in a REAL TIME VEHICLE PURCHASE REQUEST MANAGEMENT METHOD AND SYSTEM for which we have filed an application for Letters Patent in the United States, application no. 09/231,415, filed on January 14, 1999;

AND WHEREAS, autobytel.com, inc. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 18872 MacArthur Blvd., Irvine, CA 92612-1400, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of April, 1999

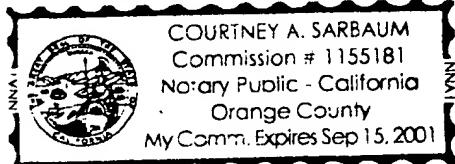
Don P. Wolfe  
Don P. Wolfe

STATE OF California ss.  
COUNTY OF Irvine

On April 1, 1999, before me, Courtney A. Sarbaum personally appeared Don P. Wolfe personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Courtney A. Sarbaum  
Signature

# BEST AVAILABLE COPY

PATENT

Application No.: 09/231,415  
Filing Date: January 14, 1999

Client Code: AUTOB.043A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7 day of April, 1999

  
Douglas S. Nottage

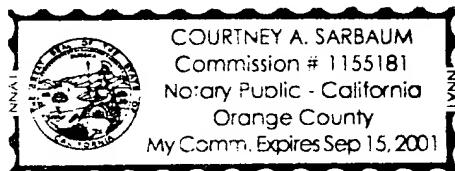
STATE OF CALIFORNIA  
COUNTY OF ORANGE

} ss.

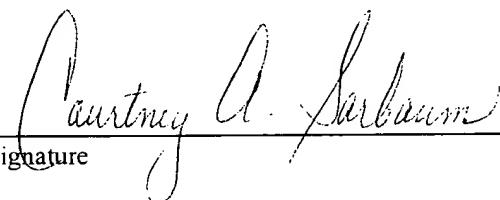
On APRIL 7, 1999, before me, COURTNEY A. SARBAUM personally appeared Douglas S. Nottage personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Signature



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of April, 1999

1999  
Kevin J. Waggoner  
WAGGONER

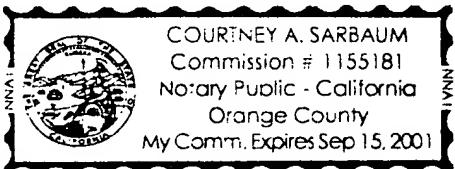
STATE OF CALIFORNIA  
COUNTY OF ORANGE

} ss.

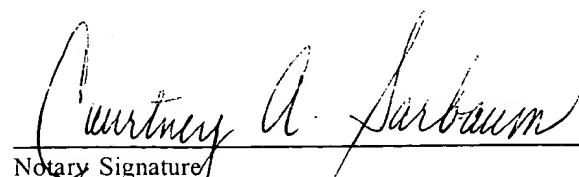
On APRIL 8, 1999, before me, COURTNEY A. SARBAUM personally appeared Kevin J. Waggoner personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature



# BEST AVAILABLE COPY

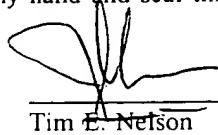
PATENT

Client Code: AUTOB.043A

Page 3

Application No.: 09/231,415  
Filing Date: January 14, 1999

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3<sup>rd</sup> day of April, 1999



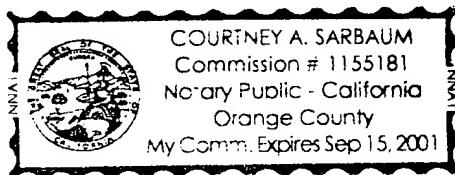
Tim E. Nelson

STATE OF CALIFORNIA } ss.  
COUNTY OF ORANGE }

On APRIL 1, 1999, before me, COURTNEY A. SARBAUM personally appeared Tim E. Nelson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

